

## Environmental Protection Agency

## § 86.603–98

the format prescribed by the EPA for the appropriate model year; and

(B) A copy of the shop manual, dealer service bulletins, and pre-delivery inspection procedures for the configuration being tested.

(ii) Only one mechanic at a time per vehicle shall make authorized checks, adjustments, or repairs, unless a particular check, adjustment, or repair requires a second mechanic as indicated in the shop manual or dealer service bulletins.

(iii) A mechanic shall not perform any check, adjustment, or repair without an Enforcement Officer present unless otherwise authorized.

(iv) The manufacturer shall utilize only those tools and test equipment utilized by its dealers when performing authorized checks, adjustments, or repairs.

(d) A manufacturer may indicate preferred assembly plants for the various engine families produced by the manufacturer for selection of vehicles in response to a test order. This shall be accomplished by submitting a list of engine families and the corresponding assembly plants from which the manufacturer desires to have vehicles selected to the Administrator. In order that a manufacturer's preferred location for issuance of a test order for a configuration of a particular engine family be considered, the list must be submitted prior to issuance of the test order. Notwithstanding the fact that a manufacturer has submitted the above list, the Administrator may, upon making the determination that evidence exists indicating noncompliance at other than the manufacturer's preferred plant, order testing at such other plant where vehicles of the configuration specified in the test order are assembled.

(e) During a given model year, the Administrator shall not issue to a manufacturer more SEA test orders than an annual limit determined by dividing the projected sales bound for the U.S. market for that model year, as made by the manufacturer in its report submitted under paragraph (a)(2) of § 600.207–80 of the Automobile Fuel Economy Regulations, by 300,000 and rounding to the nearest whole number, unless the projected sales are less than 150,000, in which case the annual limit

is one. However, the annual limit for SEA test orders will be recalculated if a manufacturer submits to EPA in writing prior to or during the model year a sales projection update.

(1) Any SEA test order for which the configuration fails in accordance with § 86.610 or for which testing is not completed does not count against the annual limit.

(2) When the annual limit has been met, the Administrator may issue additional test orders for those configurations for which evidence exists indicating noncompliance. An SEA test order issued on this basis will include a statement as to the reason for its issuance.

[41 FR 31483, July 28, 1976, as amended at 43 FR 4552, Feb. 2, 1978; 49 FR 48480, Dec. 12, 1984. Redesignated and amended at 54 FR 2122, Jan. 19, 1989]

### § 86.603–97 Test orders.

Section 86.603–97 includes text that specifies requirements that differ from those specified in § 86.603–88. Where a paragraph in § 86.603–88 is identical and applicable to § 86.603–97, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.603–88.”

(a) through (e) [Reserved]. For guidance see § 86.603–88.

(f) In the event evidence exists indicating an engine family is in noncompliance, the Administrator may, in addition to other powers provided by this section, issue a test order specifying the engine family the manufacturer is required to test.

[62 FR 31234, June 6, 1997]

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(a) through (c) [Reserved]. For guidance see § 86.603–88.